III. REMARKS

1. Claims 1, 7, 14, 15, 21 and 28 are amended.

2. Claims 7, 14, 15, 21 and 28 are amended to overcome the rejection under 35 USC 112, second paragraph.

3. Claims 1-31 are patentable under 35 USC 103(a) over Shih et al., USPN 6,405,362 ("Shih") and Garney, USPN 5,319,751.

In making the rejections the Examiner appears to be interpreting Applicant's claims so that the basic module is resident on the electronic device and the user interface module is loaded from the expansion card when it is attached to the electronic device. This, however, is not what is called for in Applicant's claims. Claim 1 is amended to clarify this point and now reads "at least a basic module and a user interface module" are "stored in the electronic device before connecting the expansion card with the electronic device". The combination of Shih and Garney does not disclose or suggest this feature.

In Shih, as noted by the Examiner (at page 5, item 5 of the Office Action), the software application is loaded "from an expansion card". The software application is not stored in the device before connection of the expansion card as called for in Applicant's claim 1.

Column 3, lines 8-18 of Shih states that the event monitor detects when the memory card is inserted. Then, the event monitor "searches the Compact Flash Card" for an auto run program. The auto run program is used to "install the software on the card." Thus, it is clear from Shih that the software is installed from the card after the card is connected to the device. (See also, Col. 6, L. 56-66 and Col. 7, L. 19-22). In Shih, the auto run program and other applications are stored in the memory of a computer readable medium, which can be connected to a PC in a releasable manner.

The event monitor (210) in Shih is notified by the shell (205) of the attachment of the computer readable medium (Col. 6, L. 41-46). The event monitor then searches for the

auto run program from the computer readable medium and when found, starts to execute the auto run program that is in the attached medium (Col. 6, L. 56 – Col. 7, L. 23). This is not what is claimed by Applicant where when the card is inserted, the basic module stored in the electronic device detects the insertion and causes the user interface module in the electronic device to execute. Unlike what is claimed by Applicant it is not disclosed or suggested in Shih that the auto run program is stored in the PC. The auto run program, which is located on the removable medium, installs an application from the medium to the memory of the PC and starts its operation. The auto run program (215) remains on the card and is not transferred to the Palm-size PC. Therefore, Shih does not disclose or suggest that the event monitor (210) and the auto run program (215) are stored within the electronic device.

Nowhere is it disclosed or suggested in Shih that the event monitor and the software are "stored in the electronic device before connecting the expansion card with the electronic device" as recited in Applicant's claim 1. Combining Shih with Garney fails to remedy this defect.

The two parts of the software in Garney (the stub and loading and activating the content of the software in the removable card) are not the same as the basic module and user interface module recited in Applicant's claim 1 because the two parts of the software in Garney are not "stored in the electronic device before connecting the expansion card with the electronic device" as recited in Applicant's claim 1.

In Garney, upon insertion of the card into the computer system, the device driver stub code image is read from the card memory area and transferred into an area of the computer system memory. The device driver stub code is then executed by the processor of the computer system. The full device driver code is not transferred to the computer system random access memory, rather the full device driver is executed while still resident on the card. (Abstract). Thus, the stub is loaded onto the computer system only after the card is inserted and the full device driver is executed only after the card is inserted.

The two parts of the software in Garney, i.e. the stub portion and "the part on the software which is loading and activation content of the software in the removable card" ("the full device driver portion") are both on the feature card (Abstract, lines 5-7). The full device driver code remains resident on the card and is not transferred to the computer system random access memory (Col. 3, L. 61-62; Col. 4, L. 1-2). Thus, when the feature card is installed to the host device (i.e. the computer system) the host device detects the installation and loads only the stub portion from the feature card into the memory of the host device. This is not what is claimed by Applicant. Claim 1 recites that both the basic module and the user interface module are "stored in the electronic device before connecting the expansion card with the electronic device".

Thus, claim 1 is patentable because the combination of Shih and Garney fails to disclose or suggest all the features of Applicant's claim 1. Claims 7, 14, 15, 21 and 28 are patentable over the combination of Shih and Garney for reasons similar to those described above with respect to claim 1. Claims 2-6, 8-13, 16-20, 22-27 and 29-31 are patentable at least by reason of their respective dependencies.

The Examiner is reminded that a *prima facie* rejection under 35 U.S.C. 103(a) requires that each and every element of the claims be taught by the combination of the references and that the "motivation" to modify and combine the subject references come from the references themselves and that the references when combined must teach all the features of the claims. (See M.P.E.P. § 2142). No such teaching is found here. Thus, a *prima facie* case of obviousness cannot be established.

Neither Shih nor Garney provide any suggestion or motivation to be combined or modified as proposed by the Examiner and the Examiner's proposition that Applicant's claims would be obvious is not supported by the factual contents of Shih and Garney as described above. Motivation for purposes of 35 U.S.C. 103(a) requires that the reference itself and/or the knowledge generally available to one skilled in the art provide the requisite motivation or suggestion to modify the reference.

In Shih the event monitor detects when the memory card is inserted (Col. 6, L. 41-46). Then, the event monitor "searches the computer readable medium" for an auto run program (Col. 6, L. 56-59). The auto run program is used to install and/or run the application on the computer readable medium (Col. 7, L. 19-22). The auto run program remains on the computer readable medium.

In Garney the device driver stub code image is read from the card memory area after insertion of the card and transferred into an area of the computer system memory. The device driver stub code is then executed by the processor of the computer system. The full device driver code is not transferred to the computer system random access memory, rather the full device driver is executed while still resident on the card. (Abstract).

If Shih and Garney were combined the result would be a feature card having application(s) on the feature card that are run or executed directly from the feature card and not loaded into the memory of the host device. Combining Shih and Garney results in even less software loaded from the feature card to the host device. This is contrary to what is claimed by Applicant in that both the basic module and the user interface module of Applicant's claims are both loaded to the host device, for example, when the software is installed on the host device.

When "the PTO asserts that there is an explicit or implicit teaching or suggestion in the prior art, it must indicate where such a teaching or suggestion appears in the reference". In re Rijckaert, 28 USPQ2d 1955, 1957 (Fed. Cir. 1993). The Examiner is requested to provide an indication as to where any such teaching, suggestion or motivation to combine the references to achieve what is claimed by Applicant appears in the references. Absent such a teaching, it is submitted that *prima facie* case of obviousness over Shih and Garney under 35 U.S.C. 103(a) is not established.

Applicant also reasserts its arguments with respect to the dependent claims. In particular, claim 12 recites that the expansion card comprises a transmitter/receiver unit

and a high frequency power amplifier. The Examiner argues that Garney discloses this feature at column 1, line 60 through column 2, line 4 and refers to the device driver disclosed therein. Garney defines device drivers as "software modules comprising processing logic for controlling the low level or device specific components of a particular computer system resource" and nothing more (Col. 1, L. 60-63). This is not the same as a transmitter/receiver unit and a high frequency power amplifier as claimed by applicant. Referring to page 9, lines 35-38 and Figure 1 of Applicant's specification, the transmitter/receiver unit refers to wireless communications, for example, applying the GSM standard. Nowhere does Shih or Garney, individually or in combination, disclose or suggest a transmitter/receiver unit as described and claimed by Applicant. Thus, claim 12 is patentable over the combination of Shih and Garney. The arguments described above with respect to claim 12 apply equally to claim 26. Thus, claim 26 is also patentable over the combination of Shih and Garney.

With respect to claims 29-31, nowhere in Shih is it even remotely mentioned that a user can "stop the loading between the phases" as recited in claims 29-31. When the card of Shih is inserted, the messages received by the event monitor (210) are automatically generated. When the event monitor (210) receives the message it automatically searches for the auto run program (215) on the computer-readable medium (i.e. the card) that was just inserted. Nowhere in Shih is it disclosed that these messages or searching for the auto run program (215) can be stopped. The only way a user of Shih can stop the installation is by not inserting a card, which is not even close to what is claimed by Applicant. Nowhere does Shih disclose or suggest "stopping the loading between the phases" as claimed by Applicant.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for a one-month extension of time and any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

Geza C. Ziegler, Jr.
Reg. No. 44,004

26 April 2007
Date

Perman & Green, LLP
425 Post Road
Fairfield, CT 06824
(203) 259-1800
Customer No.: 2512

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Natalie Ivanoff
Person Making Deposit